

### Remarks

In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

Claims 22 and 39 have been amended, and claims 46-48 are new. Support for the new claims can be found at page 17, lines 15-18 of the specification. Based on the grouping in the restriction requirement, new claims 46 and 47 should be encompassed in Group I, and new claim 48 in Group IV.

In response to the November 30, 2007, restriction requirement, applicants hereby elect Group II (i.e., claims 4-10, 20, 21, 26-33, 41, 44, and 45, together with newly submitted claims 46-47) with traverse.

The U.S. Patent and Trademark Office (“PTO”) interprets the technical feature linking groups I-IV as an allergen-specific T-cell epitope or a nucleic acid encoding such an epitope. After amending claims 22 and 39, all claims now refer to a DNA encompassed by one or more of DNA (a), DNA (b), or DNA (c), with the plant storage protein in claim 6 being within the scope of the storage protein of DNA (c) in claim 1. Per PCT Rule 13.2, the technical feature linking groups I-IV is now a DNA encompassed by a DNA comprising a structure in which one or more of DNA (a), DNA (b), or DNA (c) is placed under the control of a storage protein promoter, where DNA (a) comprises a DNA in which a DNA encoding a storage protein signal sequence is added to the 5'-end of a DNA encoding an allergen-specific T-cell epitope peptide and/or a DNA encoding an ER-retention signal sequence is added to the 3'-end thereof, DNA (b) comprises a DNA encoding a polypeptide in which a storage protein signal sequence is added to the N-terminal of an allergen-specific T-cell epitope peptide and/or an ER-retention signal sequence is added to the C-terminal thereof, and DNA (c) comprises a DNA encoding a polypeptide having a structure in which an allergen-specific T-cell epitope peptide is inserted into a variable region of a storage protein.

The PTO states that Groups I-IV do not relate to a single general inventive concept under PCT Rule 13.1, because, under PCT Rule 13.2, they lack the same or corresponding special technical features over Hirahara et al. “Oral Administration of a Dominant T-cell Determinant Peptide Inhibits Allergen-Specific  $T_{H1}$  and  $T_{H2}$  Cell Responses in Cry j 2-primed Mice,” *J. Allergy Clin. Immunol.*, 102:961-967 (1998) (“Hirahara”). Applicants respectfully disagree.

Hirahara discloses administration of peptide p246-259, containing a dominant T-cell determinant of Cry j 2, a major allergen in Japanese cedar pollen. Hirahara also

teaches that oral administration of peptide p246-259 induced immunologic tolerance in both T<sub>H1</sub> and T<sub>H2</sub> cell responses against the whole protein allergen.

Hirahara does not teach a DNA encompassing one or more of DNA(a), DNA(b), or DNA(c). Since that DNA constitutes a special technical feature that defines a contribution over the prior art, Groups I-IV relate to a single general inventive concept under PCT rule 13.1. Accordingly, the restriction requirement should be withdrawn.

Respectfully submitted,

Date: February 26, 2008

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